6237072/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Andhra Pradesh Forest Department – Departmental Proceedings initiated against Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991 – Punishment of "withholding of five percent (5%) of pension for a period of three (3) years" against the Charged Officer – Imposed - Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Ms.No.54 **Dated:12.08.2022**

Read the following:

1)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur, Letter.Ref.No.7184/2016/A&DC-2(iv), dated 05.05.2021.
2)Memo.No.995/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 02.07.2021.
3)From the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur, Letter.Ref.No.7184/2016/A&DC-2, dated 25.08.2021.
4)Letter.No.995/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 02.01.2022.
5)From the Secretary, APPSC, Letter.No.31/DC&C/2022, dated 31.03.2022.
6)Memo.No.995/Sec.IV/A1/2021, EFS & T (Sec.IV) Dept., dated 25.07.2022.
7)From Sri P. Ramanaiah, Deputy Range Officer (Retd.), Further defense statement, dated 08.08.2022.

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ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur has informed that the following Article of Charge was issued to Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division by the Conservator of Forests, Guntur Circle in Lr.Rc.No.1295/2018/M3 (ii), dated 17.07.2019, under Rule 20 of A.P. Civil Services (Classification, Control and Appeal) Rules, 1991:-

Charge:"That Sri P. Ramanaiah, Deputy Range Officer has exhibited gross neglect of duty by allowing the Fisheries Department for construction of a permanent structure for cage culturing of fishes in Sanctuary Area in Kandaleru Dam in contravention to the Provisions of the Wildlife (Protection) Act, 1972 and Forest (Conservation) Act, 1980 resulting impact on Bio Diversity".

2. The Charged Officer acknowledged the receipt of Article of Charge on 23.07.2019 and submitted his written defence statement on 24.07.2019. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur appointed the Conservator of Forests, Guntur as Common Inquiry Officer and the Divisional Forests Officer (T), Nellore as Presenting Officer in Lr. Rc.No.7184/2016/Vig-1(i&ii), dated 27.12.2019, for conducting the regular enquiry.

[P.T.O]

3. The Inquiry Officer & the Conservator of Forests, Guntur Circle has submitted his findings along-with connected case records in Lr. Rc.No.1295/2016/M3, dated 27.03.2020, wherein he concluded that,

> "After careful examination of evidence, documents and defence statement of the Charged Officer, it is construed that he has immediately reported about the occurrence of the establishing cage culture. He has taken all measures to get the eviction of illegal Tilapia cage culture in Kandaleru Reservoir informing to the Higher Officials. Subsequently cases have been booked against the concerned Officials of Fisheries Department. It is obvious that there is no dereliction of duty on the part of the Charged Officer in detection of offence and subsequent action there ever the matter. Hence, the charge is not proved."

4. The Principal Chief Conservator of Forests & HoFF, A.P., Guntur has communicated the findings of the Inquiry Officer along with the following disagreement factors to the Charged Officer in Lr.Rc.No.7184/2016/A&DC-2, dated 27.09.2020, for submission of further defence.

> "Though as per the findings of the Inquiry Officer, the Charged Officer took all measures to get the illegal Tilapia cage culture evicted in Kandaleru Reservoir by informing to the Higher Officials and subsequently cases were also booked, the fact remains that the Charged Officers were obligated to ensure that no construction of permanent structures for cage culture of fishes in sanctuary area takes place, it is contravention to the Provisions of A.P. Wildlife (Protection) Act, 1972 and Forest (Conservation) Act, 1980. Hence, the Charged Officer failed to discharge his duties"

5. The Charged Officer has acknowledged the receipt of the final notice along with disagreement factors and submitted his further defence statement on 03.11.2020, wherein, he did not mention any new/fresh/valid points.

6. The Charged Officer has retired from Government service on attaining the age of superannuation on 31.07.2019. Hence, the disciplinary proceedings are continued under Rule 9 of A.P. Revised Pension Rules, 1980.

7. After careful examination of the matter, Government have taken a provisional decision to impose a punishment of "withholding of two percent (2%) of pension for a period of two (2) years" against Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

8. Accordingly, in Memo., 2nd read above, a Show-cause Notice was issued to the Charged Officer through Principal Chief Conservator of Forests & HoFF, A.P., Guntur. In the letter 3rd read above, the Principal Chief Conservator of Forests & HoFF, A.P., Guntur has informed that the Charged Officer has submitted his further defense statement, wherein there are no new/fresh and valid reasonable points and requested to issue necessary orders in the disciplinary case of Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range officer, Dachur Section, Rapur Range of Nellore (T) Division.

[Contd..]

9. After careful examination of the entire issue, Government have decided to confirm the provisional decision to impose a punishment of "withholding of two percent (2%) of pension for a period of two (2) years" against Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

10. On communication, the Secretary, A.P. Public Service Commission in the letter 5th read above has informed that, the Commission proposed to enhance the punishment to 5% (five percent) cut in pension for a period of three (3) years and advised accordingly.

11. After careful examination of the matter, Government have decided to accept the advice of A.P. Public Service Commission for enhancing the punishment to "Withholding of five percent (5%) of pension for a period of three (3) years" against Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

12. Accordingly, in Memo., 6th read above, a Show-cause Notice was issued to the Charged Officer on the proposed punishment. In the reference 7th read above, the Charged Officer has submitted his further defense statement, wherein he has agreed to the proposed punishment.

13. After careful examination of the entire matter, Government hereby order to impose a punishment of "Withholding of five percent (5%) of pension for a period of three (3) years" against Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division, under Rule 9 of A.P. Revised Pension Rules, 1980.

14. The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri P. Ramanaiah, Deputy Range Officer (Retd.), earlier Deputy Range Officer, Dachur Section, Rapur Range of Nellore (T) Division through Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.
The Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, Guntur.

Copy to:
The Accountant General (A&E), Andhra Pradesh, Vijayawada.
The Director of Treasuries & Accounts, Ibrahimpatnam, Vijayawada.
The Secretary, A.P. Public Service Commission, Vijayawada.
The OSD to M (Energy, EFS&T, Mines & Geology).
The Secretary to A.P. Vigilance Commission, A.P. Secretariat, Velagapudi.
The PS to the Special Chief Secretary to Government, EFS&T Department.
SF/SC (Computer No.1412507).

//FORWARDED :: BY ORDER//

SECTION OFFICER